

Application No.: 09/401,039
 Attorney Docket No.: 1155-015.302

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE OFFICE OF PETITIONS

Applicant(s): Obradovich et al.
 Assignee: American Calcar, Inc.
 Title: SYSTEM AND METHOD FOR ADJUSTING CLIMATE CONTROL IN VEHICLES
 Patent No.: 6,175,782 Issued: January 16, 2001
 Serial No.: 09/401,039 Filed: September 21, 1999
 Attorney Docket No.: 1155-015.302

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

**PAYMENT OF DEFICIENCY UNDER 37 C.F.R. § 1.28(c) BASED ON PREVIOUS
 ERRONEOUS PAYMENT OF A SMALL ENTITY FEE**

Dear Sir:

American Calcar, Inc. hereby submits a payment under 37 C.F.R. § 1.28(c) for the total amount of the deficiency of fees based on the previous erroneous payment of small entity fees.

In compliance with the requirements of 37 C.F.R. § 1.28(c)(2), American Calcar, Inc. submits the following itemization of the deficiency payments and calculation of the deficiency owed:

Type of Fee Erroneously Paid as a Small Entity	Date Small Entity Fee Actually Paid	Small Entity Fee Actually Paid (\$)	Current Non-Small Entity Fee (\$)	Deficiency Amount Owed (\$)
7.5 Year Maintenance Fee Payment	06/09/2008	\$1,180.00 ✓	\$2,900.00	\$1,720.00
11.5 Year Maintenance Fee Payment	06/20/2012	\$2,365.00	\$4,810.00	\$2,445.00 ✓
Total Deficiency Payment Owed (\$)				\$4,165.00

↓ For Kien

Pursuant to 37 C.F.R. §§ 1.27(g)(2) and 1.28(d), this submission and payment of deficiency operates as a notification of the loss of small entity status.

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REMARKS

Small entity status for the application resulting in the above-referenced patent was established in good faith, but it has recently been discovered that through error the Office was not notified of a loss of entitlement to small entity status at the time of payment of the 7.5 year Maintenance Fee Payment, and the Maintenance Fee Payment was erroneously effectively paid as a small entity.

Pursuant to 37 C.F.R. § 1.28(c)(2), the total deficiency for all of the fees erroneously paid as a small entity as of today's date is determined to be \$4,165.00. The total deficiency payment is submitted herewith.

Favorable action on the present request to excuse the errors in small entity status is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment, or credit any overpayment, to Deposit Account No. 11-1159 for any additional fees required under 37 C.F.R. § 1.17 or 37 C.F.R. § 1.28(c)(3), particularly, extension of time fees.

Respectfully submitted,

Date: October 25, 2012



Daniel M. Cavanagh
Registration No: 41,661

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